

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

JANE DOE,

Plaintiff	Case Number
vs.	1:18-cv-05414
THE WEINSTEIN COMPANY LLC, a corporation; THE WEINSTEIN COMPANY HOLDINGS LLC, a corporation; HARVEY WEINSTEIN, an individual, and DOES 1-25, inclusive	
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

ALEXANDRA CANOSA,

Plaintiff	Case Number
vs.	1:18-cv-04115-PAE
DIRK ZIFF, TIM SARNOFF, MARC LASRY, TARAK BEN AMMAR, LANCE MAEROV, RICHARD KOENIGSBERG, PAUL TUDOR JONES, JAMES L. DOLAN, JEFF SACKMAN, THE WEINSTEIN COMPANY HOLDINGS, LLC, THE WEINSTEIN COMPANY, LLC, HARVEY WEINSTEIN AND ROBERTY WEINSTEIN, DOES 1-10	
Defendant	

Status of Earlier Filed Case:

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Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

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Open

(If so, set forth procedural status and summarize any court rulings.)

The earlier filed case originally was filed on December 20, 2017, in New York state court. It was removed to federal court on May 8, 2018. Plaintiff filed a motion to remand on June 7, 2018, and the opposition is due June 21, 2018. Responsive pleadings are due July 10, 2018. Fact discovery has not commenced.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

The newly filed case in this court originally was filed on November 14, 2017, in the Superior Court of the State of California for the County of Los Angeles. On May 3, 2018, the newly filed case was removed to the District Court for the Central District of California on the basis that it is "related to" The Weinstein Company Holdings LLC's pending bankruptcy petition proceeding in the United States Bankruptcy Court for the District of Delaware pursuant to 28 U.S.C. §§ 1331, 1334(b), 1441, 1446, and 1452(a) and Rule 9027 of the Federal Rules of Bankruptcy Procedure. On June 14, 2018, the newly filed case was transferred to the District Court for the Southern District of New York pursuant to 28 U.S.C. § 1412.

The newly filed case arises from the same facts and circumstances as the earlier filed case. Specifically, the newly filed case and the earlier filed case arise out of alleged sexual misconduct by Harvey Weinstein while employed by The Weinstein Company Holdings, LLC. The newly filed case asserts substantially the same causes of action alleged in the earlier filed case, including claims for assault, battery, negligent supervision and retention, and negligent infliction of emotional distress. Both cases seek to hold other defendants vicariously and directly liable for Harvey Weinstein's alleged assaults. The newly filed case asserts claims against the very same 13 parties as the earlier filed case. The Weinstein Company LLC, The Weinstein Company Holdings LLC, and Harvey Weinstein are defendants in both actions, and plaintiff in the newly filed case has named ten of the Doe defendants as Dirk Ziff, Tim Sarnoff, Marc Lasry, Tarak Ben Ammar, Lance Maerov, Richard Koenigsberg, Paul Tudor Jones, James Dolan, Jeff Sackman, and Robert Weinstein, each of which are parties in the earlier filed case. The newly filed case further names one new defendant David Glasser, a former executive with The Weinstein Company LLC. As such the underlying facts and circumstances, the parties, the legal issues, and evidence in the newly filed case overlap substantially with those in the earlier filed case. If this action proceeds separately, it will result in the duplication of effort, expense, delay, and undue burden on the Court, the parties, and the witnesses involved.

Signature: /s/ Marvin S. Putnam Date: 6/15/2018

Firm: Latham & Watkins LLP